

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.822 OF 2007

IN

Notice of Motion No.97 of 2007

Pushkarnath Varma .. Appellant

V/s

The State of Maharashtra and Ors..Respondents

Shri B.P.Shukla for the Appellant

CORAM:S.R.SATHE, J.

DATED:23rd Oct.2007

P.C.:-

1. Heard learned Advocate for the Appellant.
2. Appellant has filed the present Appeal as ad-interim relief is refused in his Notice of Motion.
3. Perused the order passed by the learned trial Judge. Admittedly the defendant has not even issued any notice to the plaintiff regarding demolition. Plaintiff has only made a vague statement that the officers of the defendants are giving threats of demolition. The learned trial Judge found that the

plaintiff has failed to make out any prima facie case for granting ad-interim relief, hence ad-interim relief was refused and Notice of Motion was made returnable on 1-11-2007.

4. Under the circumstances I do not find it necessary to interfere with the order passed by the learned trial Judge.

5. The trial Court is directed to dispose of Notice of Motion according to law by the end of 31-12-2007. The trial Court not to get influenced with the observations made by this court in this order.

6. Hence A.O.is dismissed in limine.

7. Parties to act on authenticated copy of this order.

(S.R.SATHE, J.)